

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Inventors: Angshuman Bezbaruah; Anand A. Kekre; Niranjan S. Pendharkar

Assignee: VERITAS Operating Corporation

Title: FAST FAILOVER WITH MULTIPLE SECONDARY NODES

Application No.: 10/728,027 Filing Date: December 4, 2003

Examiner: Gary W. Cigiel Group Art Unit: 2661

Docket No.: VRT0090P1US Confirmation No.: 8352

Austin, Texas
September 26, 2007

Mail Stop Amendment
Commissioner for Patents
P. O. Box 1450
Alexandria, VA 22313-1450

TERMINAL DISCLAIMER TO OBVIATE A DOUBLE PATENTING
REJECTION OVER A PENDING PATENT APPLICATION

Sir:

Petitioner, a corporation having a place of business at is the owner of the entire interest in the instant application. Petitioner hereby disclaims, except as provided below, the terminal part of the statutory term of any patent granted on the instant application, which would extend beyond the expiration date of the full statutory term defined in 35 U.S.C. §§ 154 to 156 and 173, as presently shortened by any terminal disclaimer, of U.S. Application No. 10/610,139. Petitioner hereby agrees that any patent so granted on the instant application shall be enforceable only for and during such period that it and the prior patent are commonly owned.

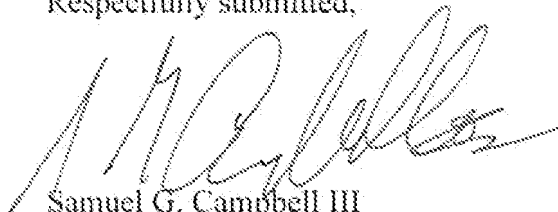
PATENT

This agreement runs with any patent granted on the instant application and is binding upon the grantee, its successors or assigns.

In making the above disclaimer, Petitioner does not disclaim the terminal part of any patent granted on the instant application that would extend to the expiration date of the full statutory term as defined in 35 U.S.C. §§ 154 to 156 and 173 of the prior patent, as presently shortened by any terminal disclaimer, in the event that it later: expires for failure to pay a maintenance fee, is held unenforceable, is found invalid by a court of competent jurisdiction, is statutorily disclaimed in whole or terminally disclaimed under 37 C.F.R. § 1.321, has all claims canceled by a reexamination certificate, is reissued, or is in any manner terminated prior to the expiration of its full statutory term as presently shortened by any terminal disclaimer.

In compliance with 37 C.F.R. § 1.20(d), the commissioner is authorized to charge the fee of \$130.00 to Deposit Account No. 502306 for this Terminal Disclaimer as set forth in the enclosed transmittal letter. The undersigned represents that he is authorized to sign on behalf of Petitioner.

Respectfully submitted,

A handwritten signature in black ink, appearing to read 'Samuel G. Campbell III', is written over a horizontal line.

Samuel G. Campbell III
Attorney for Applicants
Reg. No. 42,381
Telephone: (512) 439-5084
Facsimile: (512) 439-5099